

UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

Richmond Division



Jacob Queern
 "Federalist, No. 47." (1787);
 "Federalist, No. 51." (1787);
 The creditors of Jacob Queern

Case No. 3:21cv00411
 (to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

The United States;
 Officers of the United States Government
 Acting in their individual Capacity under
 Color of Law; Et al.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT AND REQUEST FOR INJUNCTION

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Jacob Queern
Street Address	7761 NC HW 87 S
City and County	Fayetteville,
State and Zip Code	NC 28306
Telephone Number	(757)633-1206
E-mail Address	jqueern@jeqandco.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

Defendant No. 1

Name	<u>The United States attorneys' office per Fed. R. Civ. P. 4(i)(1)(A)</u>
Job or Title <i>(if known)</i>	<u>Civil Process Clerk</u>
Street Address	<u>919 E. Main St. Suite 1900</u>
City and County	<u>Richmond,</u>
State and Zip Code	<u>VA 23219</u>
Telephone Number	<u>(757) 289-2338</u>
E-mail Address <i>(if known)</i>	<u>Laura.Grimes@usdoj.gov</u>

Defendant No. 2

Name	<u>Attorney General of the United States per Fed. R. Civ. P. 4(i)(1)(B)</u>
Job or Title <i>(if known)</i>	<u>Civil Process Clerk</u>
Street Address	<u>950 Pennsylvania Ave, NW</u>
City and County	<u>Washington</u>
State and Zip Code	<u>DC 20530-0001</u>
Telephone Number	<u>202-514-2000</u>
E-mail Address <i>(if known)</i>	<u>allison.kidd-miller@usdoj.gov</u>

Defendant No. 3

Name	<u>Re: FRCP 4(i)(2)(3) the PETITIONER's counsel will "clearly identify</u>
Job or Title <i>(if known)</i>	<u>all Defendants against whom Plaintiff intends to assert claims "</u>
Street Address	<u>after the Court issues its remedy of pendente lite attorneys' fees.</u>
City and County	<u>there are too many federal officers across the executive, legislative,</u>
State and Zip Code	<u>judicial branches of the United States enmeshed in this conspiracy</u>
Telephone Number	<u>for the PETITIONER, acting pro se, to list individually and doing</u>
E-mail Address <i>(if known)</i>	<u>so is unnecessary at this stage of the litigation.</u>

Defendant No. 4

Name	<u></u>
Job or Title <i>(if known)</i>	<u></u>
Street Address	<u></u>
City and County	<u></u>
State and Zip Code	<u></u>
Telephone Number	<u></u>
E-mail Address <i>(if known)</i>	<u></u>

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.
 Fed. R. Civ. P. 60(b)(d), 62(d); 47 U.S.C. § 4712; Fed. R. Civ. P. 9(b); 42 U.S.C. §§ 1983 ("Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971)"), 1985(2)(3); 5 U.S.C. §§ 552(a)(4)(B), 552a(g)(1), 702; EAJA 28 U.S.C. §§ 2412(c)(2), (d)(1)(D); FTCA: 28 U.S.C. §§ 1346(b), 2671-2680 / Va. Code Ann. Section(s) §§ 18.2-499-500; 15 U.S.C. § 15; 28 U.S.C. § 2201(a)

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the
 State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
 under the laws of the State of *(name)* _____,
 and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of
 the State of *(name)* _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated under
the laws of the State of *(name)* _____, and has its
principal place of business in the State of *(name)* _____.
Or is incorporated under the laws of *(foreign nation)* _____,
and has its principal place of business in *(name)* _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?
Virginia; North Carolina

B. What date and approximate time did the events giving rise to your claim(s) occur?
December 2014 to present.

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*
1. "(1) [a] conspiracy of two or more persons, (2) who are motivated by a specific class-based, invidiously discriminatory animus, to (3) deprive the plaintiff of the equal enjoyment of rights secured by the law to all, (4) and which results in injury to the plaintiff as (5) a consequence of an overt act committed by the defendants in connection with the conspiracy." *Lewin v. Cooke*, 95 F. Supp. 2d 513, 525 (E.D. Va. 2000) 2. "[t]wo or more persons (have) conspire[d] to injure [the PETITIONER] in his person or property" in retaliation for that [the PETITIONER] testifying in any court of the United States." *Id.* 3. "(1) the defendant made a false statement or omission of material fact (2) with scienter (3) upon which the plaintiff justifiably relied (4) that proximately caused the plaintiff's damages." *In re Microstrategy, Inc.*, 115 F. Supp. 2d 620, 628 (E.D. Va. 2000) 4. "employees had failed to follow the specific directions contained in the applicable regulations," *United States v. Gaubert*, 499 U.S. 315, 324 (1991) "First Amendment § 1983 retaliation" *Suarez Corp. Industries v. McGraw*, 202 F.3d 676, 686
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IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

The PETITIONER has shown 1. a. "[1] that he (will certainly prevail) on the merits (which is why Judges BEACH SMITH, MOTZ, KEENAN, and SHEDD joined their government attorney colleagues in damaging the PETITIONER's claim) [2] that he (cannot possibly prevail and will certainly) suffer irreparable harm in the absence of preliminary relief, [3] that the balance of equities tips (wholly) in his favor, and [4] that an injunction is in the public interest." b. "upholding constitutional rights serves the public interest." 2. USDC-EDVA Judge Beach Smith has a. altered and falsified the PETITIONER's pleadings in the USDC-EDVA Case 2:19-cv-00485-RBS-LRL whereby the pleadings have been made void and are incapable of taking effect (See, 18 U.S.C. § 1506). b. exerted improper influence and a "a clear usurpation of power , (where) there (was) a total want of jurisdiction and no arguable basis on which it could have rested a finding that it had jurisdiction."

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

1. Entertain an independent action in equity by reviewing documents found with functioning hyperlinks as the PETITIONER intended in the Microsoft secure OneDrive locations as follows:
 - a. <https://1drv.ms/b/s!AjEjC5jWywEUgdgFqdLG2VcLhYLnuw> (USCA4 Appeal: 20-1611 Doc: 28 Filed: 05/24/2021)
 - b. <https://1drv.ms/b/s!AjEjC5jWywEUgdkNTTITW34OV5E-rA> (USCA4 Appeal: 20-1611 Doc: 30 Filed: 06/02/2021)
 2. make a non-compulsory request of both of the PETITIONER's preferred legal firms to represent the PETITIONER in seeking all relief to which the PETITIONER is entitled and to the PETITIONER's satisfaction.
 3. issue an order of pendente lite attorney's fees for both of the PETITIONER's preferred legal firm's representation.
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VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 06/19/2021

Signature of Plaintiff

Printed Name of Plaintiff

Jacob Queern

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address